

AGENDA - COUNCIL MEETING - TUESDAY - MAY 2, 2006 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2006-0333 to 2006-0345
ORDINANCES – 2006-0422 to 2006-0446
RESOLUTION – None

2006-0332

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lovell

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 3, 2006 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

Motion 2006-0333 – Accept reports

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

CONSENT AGENDA NUMBERS 1 through 34

MISCELLANEOUS - NUMBER 1

1. Motion 2006-0338

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON CLEAN CITY COMMISSION**:

- Position 1 - **MS. PENNY HESS BUTLER**, appointment, for a term to expire 2/1/2007
- Position 2 - **MR. J. HOWARD RAMBIN III**, reappointment, for a term to expire 2/1/2008
- Position 3 - **MR. DONALD L. POARCH**, reappointment, for a term to expire 2/1/2007
- Position 4 - **MS. RUTH R. HURST**, appointment, for a term to expire 2/1/2008
- Position 5 - **MR. W. J. BOWEN**, reappointment, for a term to expire 2/1/2007
- Position 6 - **MR. DANIEL J. SULLENBARGER**, appointment, for a term to expire 2/1/2008
- Position 7 - **MS. ADRIANA TAMEZ**, appointment, for a term to expire 2/1/2007
- Position 8 - **MS. RHENEL Y. JOHNSON**, appointment, for a term to expire 2/1/2008
- Position 10 - **MR. EARL L. HARRISON JR.**, appointment, for a term to expire 2/1/2008
- Position 11 - **MS. TANAZ CHOUDHURY**, reappointment, for a term to expire 2/1/2007
- Position 12 - **MR. RAYMOND FRANKS**, appointment, for a term to expire 2/1/2008
- Position 13 - **MS. CHARLOTTE ANN HAYNES**, reappointment, for a term to expire 2/1/2007
- Position 14 - **MR. WILLIAM CECIL LINTHICUM**, reappointment, for a term to expire 2/1/2008
- Position 15 - **MR. ROBERT A. RIDGE**, reappointment, for a term to expire 2/1/2007
- Position 16 - **MR. NATHANIEL "NICK" CLAYTON II**, reappointment, for a term to expire 2/1/2008
- Position 17 - **MS. CARLA LENA' WYATT**, appointment, for a term to expire 2/1/2007
- Position 18 - **MS. LINDA K. BROWN**, reappointment, for a term to expire 2/1/2008
- Position 20 - **MR. ROBERT W. GIBBS JR.**, reappointment, for a term to expire 2/1/2008
- Position 21 - **MR. MICHAEL E. LAVENGCO**, appointment, for a term to expire 2/1/2007
- Position 22 - **MS. SALLÉ S. MORSE**, reappointment, for a term to expire 2/1/2008
- Position 23 - **MS. SUSANA DUARTE**, appointment, for a term to expire 2/1/2007
- Position 24 - **MR. CHRIS K. WILMOT**, reappointment, for a term to expire 2/1/2008
- Position 25 - **MR. KEIJI ASAKURA**, reappointment, for a term to expire 2/1/2007
- Position 26 - **MR. REY DE LA REZA**, appointment, for a term to expire 2/1/2008
- Position 27 - **MS. KATHERINE BUI**, appointment, for a term to expire 2/1/2007
- Position 28 - **MR. FERNANDO CISNEROZ JR.**, appointment, for a term to expire 2/1/2008
- Position 29 - **MR. JOSÉ GRIÑÁN**, reappointment, for a term to expire 2/1/2007
- Position 30 - **MR. ARMANDO VALDES**, appointment, for a term to expire 2/1/2008
- Position 31 - **MS. SUSAN J. CITA**, appointment, for a term to expire 2/1/2007
- Position 32 - **MR. CALVIN WILLS**, appointment, for a term to expire 2/1/2008
- Position 33 - **MR. DARRYL KING**, appointment, for a term to expire 2/1/2007
- Position 34 - **MR. MARK C. FOWLER**, appointment, for a term to expire 2/1/2008
- Position 35 - **MR. BRIAN SIMS**, appointment, for a term to expire 2/1/2007
- Position 36 - **MS. DIAMANTINA "TINA" ARAUJO**, appointment, for a term to expire 2/1/2008
- Position 37 - **MR. MICHAEL HATLEY**, appointment, for a term to expire 2/1/2007
- Position 38 - **MS. KAREN BRACHT NORTH**, appointment, for a term to expire 2/1/2008
- District A - **MS. JANICE GABRIEL**, appointment, for a term to expire 2/1/2007
- District B - ~~**MR. WILLIE J. HUNTER**, appointment, for a term to expire 2/1/2007~~
- District C - **MS. JANICE S. ROSE**, appointment, for a term to expire 2/1/2007
- District D - **MS. BESSIE M. SWINDLE**, appointment, for a term to expire 2/1/2007
- District E - **MR. PAUL KEVIN DIX**, reappointment, for a term to expire 2/1/2007
- District F - **MR. MIKE RIPPERT**, appointment, for a term to expire 2/1/2007
- District G - **MR. HARRY J. PHILLIPS JR.**, reappointment, for a term to expire 2/1/2007
- District H - **MR. JOSE A. MEDRANO**, appointment, for a term to expire 2/1/2007
- District I - **MR. RAMIRO FONSECA**, reappointment, for a term to expire 2/1/2007

District B – Pulled-Not Considered

PROPERTY - NUMBER 2

2. Motion 2006-0334

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, **TO AMEND MOTION #2004-1054, 10/6/04**, which authorized the abandonment and sale of South Post Oak Lane, from ±70 feet south of San Felipe Road to its terminus, and two turnaround easements, all located within Azalea Terrace Subdivision or Azalea Terrace Annex Subdivision, **ITEM 1** to include changes to the abandonments and to add conveyances, **ITEM 2** to include changes in the utility requirements, and **ITEM 7** to update the appraisal requirement and **TO DELETE ITEM 3**, Parcels SY5-011A through I and AY6-165A and B - **STAFF APPRAISERS - DISTRICT G - HOLM**

PURCHASING AND TABULATION OF BIDS - NUMBERS 3 through 8

3. Motion 2006-0341

AMEND MOTION #2003-1302, 11/5/03, as amended by Motion #2005-0982 and #2006-45, TO INCREASE spending authority from \$1,250,000.00 to \$2,150,000.00 on award to **VOYAGER FLEET SYSTEMS, INC**, for Purchase of Retail Fuel Card Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Finance & Administration Department - \$900,000.00 - Central Service Revolving Fund

4. Motion 2006-0335

MOHAWK RESOURCES, LTD. for Purchase and Installation of a Front-End Alignment Machine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Fire Department - \$41,527.33 Equipment Acquisition Consolidated Fund

5. Motion 2006-0336

BROOKSIDE EQUIPMENT SALES, INC for Tractor Mower Attachments for the Parks & Recreation Department - \$49,580.00 - Equipment Acquisition Consolidated Fund

6. Motion 2006-0337

SWARCO REFLEX, INC for Spheres, Reflective Glass for Department of Public Works & Engineering - \$102,800.00 - General Fund

7. Motion 2006-0342

ALTIVIA CORPORATION, INC (BID NO. 4) for Chemicals, Inorganic Metal Salt Coagulants for Department of Public Works & Engineering - \$2,054,000.00 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$2,034,000.00 - 12 Months Enterprise Fund

8. Motion 2006-0343

SNAP-ON INDUSTRIAL a Division of IDSC Holding LLC for spending authority to purchase Automotive Diagnostic Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$362,725.00 - General, Enterprise, Fleet Management and Property and Casualty Funds

ORDINANCES - NUMBERS 9 through 34

9. Council Member Sekula-Gibbs tagged

ORDINANCE approving and authorizing agreement between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for Release of Driver Records to Governmental Entities; providing a maximum contract amount - \$10,000.00 - Workers Compensation Fund

ORDINANCES - continued

10. Ordinance 2006-0422

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 20-foot water main easement (Parcel SY6-008A) and a 40-foot sanitary sewer easement (Parcel SY6-08B), containing an aggregate of 0.1791 acre of land, more or less, out of a portion of the West Canal, located in the John Anderson Survey, A-97, Houston, Harris County, Texas; vacating and abandoning said easements to the Harris County Municipal Utility District (MUD) No. 285 for the purpose of constructing utility lines across the West Canal to service 79 single-family lots, in consideration of the MUD's payment of \$1,638.00 and other consideration to the City

11. Ordinance 2006-0423

ORDINANCE consenting to the addition of 135.104 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, for inclusion in its district

12. Ordinance 2006-0424

ORDINANCE consenting to the addition of 4.9380 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 58**, for inclusion in its district

13. Ordinance 2006-0425

ORDINANCE consenting to the addition of 66.6742 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 282, OF HARRIS COUNTY, TEXAS**, for inclusion in its district

14. Ordinance 2006-0426

ORDINANCE consenting to the addition of 0.9946 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**, for inclusion in its district

15. Ordinance 2006-0427

ORDINANCE consenting to the addition of 20.3203 acres of land to **MEADOWHILL REGIONAL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

16. Ordinance 2006-0428

ORDINANCE consenting to the addition of 24.0038 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 46, OF MONTGOMERY COUNTY, TEXAS**, for inclusion in its district

17. Ordinance 2006-0429

ORDINANCE consenting to the addition of 31.437 acres of land to **RICHEY ROAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

18. Ordinance 2006-0439

ORDINANCE approving and authorizing a second amendment to an Electric Supply Agreement between the City of Houston and **TEXAS GENERAL LAND OFFICE** (approved by Ordinance No. 04-0273)

19. Ordinance 2006-0440

ORDINANCE approving and authorizing contract between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to provide a \$82,846.00 grant of Federal Community Development Block Grant ("CDBG") Funds for the Renovation of a Facility at 707 Quitman which will provide Social Services to Low and Moderate Income Residents
DISTRICT H - GARCIA

ORDINANCES - continued

20. Ordinance 2006-0441

ORDINANCE approving and authorizing contract between the City of Houston and **SSI (U.S.) INC., d/b/a SPENCER STUART**, for Executive Search Consulting Services; providing a maximum contract amount - \$250,000.00

21. Ordinance 2006-0442

ORDINANCE approving and authorizing contracts for Financial Advisory Services between the City of Houston and (1) **FIRST SOUTHWEST COMPANY** and (2) a joint venture between **COASTAL SECURITIES** and **MORGAN KEEGAN & COMPANY INC**; providing maximum contract amounts - 3 Years with two one-year options - Total for both contracts \$3,975,000.00 ~~\$3,795,000.00~~ General and Enterprise Funds

22. Ordinance 2006-0443

ORDINANCE approving and authorizing compromise and settlement agreement between **R. M. CROWE HOUSTON PORTFOLIO III, L.P.** and the City of Houston to settle a claim \$37,339.78 - General Fund

23. Ordinance 2006-0444

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON COMMUNITY COLLEGE SYSTEM (HCCS)** for Professional Educational Services Contract for the Department of Public Works and Engineering; providing a maximum contract amount 3 Years with two one-year options - \$350,000.00 - Enterprise Fund

24. Ordinance 2006-0430

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Kirby Drive Storm Sewer Relief Project, Segment 3 (from Swift Boulevard to Robinhood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of easements in, over, upon, under, and across parcels of land situated in the A. C. Reynolds Survey, Abstract No. 61, Harris County, Texas, and being more specifically situated within Blocks 16, 17, 21, 24, 25, and 28 of West Houston Addition Subdivision, Restricted Reserve "A" of West Houston Addition Subdivision, and Restricted Reserve "A" of Rice Boulevard Shopping Center, as located along the east line of Kirby Drive and it's intersection with University Boulevard, Amherst Avenue, Times Street, Rice Boulevard, Bolsover Drive, Dunstan Street, and Tangley Street - **DISTRICT C - CLUTTERBUCK**

25. Ordinance 2006-0431

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the public improvement project known as the San Felipe Paving Project; authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title to parcels of land situated in the Charles Sage Survey, Abstract No. 697 and the William White One Third League Abstract 836, in Harris County, Texas, and being more specifically situated out of Lots 25, 27, and 28 of Post Oaks Estates Subdivision, Lots 23, and 25, of Post Oak Gardens Subdivision, Lot 2, Block 16, Lot 1, Block 15, Lot 1 Block 14, and Lot 7, Block 13, of Briarcroft Subdivision, out of Parcels of land described in Deeds Recorded under Harris County Clerk's File No. R320807, and R606388 in the Deed Records of Harris County, Texas and part of a Parcel of land described in Volume 2547 Page 185 of the Harris County Deed Records - **DISTRICT G - HOLM**

ORDINANCES - continued

26. Ordinance 2006-0445

ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **ALDINE IMPROVEMENT DISTRICT** to provide Water and Sewer Service outside the City of Houston - Revenue

27. Ordinance 2006-0432

ORDINANCE appropriating \$873,920.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Professional Engineering Services Contract with **CLAUNCH & MILLER, INC** for Neighborhood Street Reconstruction Program NSR 446, GFS N-0378-01-2 (SB9209) and NSR 457, GFS N-0392-01-2 (SB9226) (approved by Ordinance No. 2005-392); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS C - CLUTTERBUCK; D - EDWARDS and I - ALVARADO**

28. Ordinance 2006-0446

ORDINANCE appropriating \$5,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **WASHINGTON GROUP INTERNATIONAL, INC** for 24/30/36-inch Water Line Rehabilitation/Upgrades along Westheimer, Midlane, Calumet, and Westpark, GFS S-0900-A5-3 (WA10448-08) - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS and G - HOLM**

29. Ordinance 2006-0433

ORDINANCE appropriating \$5,000.00 out of Series E-Commercial Paper Metro Projects Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **RATNALA & BAHL, INC** for Westview Paving: W. Sam Houston Pkwy to Shadowdale, GFS N-0549-01-3 (SB9023) - **DISTRICT A - LAWRENCE**

30. Ordinance 2006-0434

ORDINANCE awarding contract to **JMI MAINTENANCE, INC** for City-wide Ditch Maintenance Project (Work Order Contract), GFS M-0300-01-3 (SM5057); and allocating \$1,404,996.30 from the Storm Water Fund to provide funding for contract services, contingencies and project management relating to the subject

31. Ordinance 2006-0435

ORDINANCE appropriating \$1,963,022.88 out of Street & Bridge Consolidated Construction Fund, awarding construction contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Traffic Signal Construction, GFS N-0650-20-3 (SB9250); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund

32. Ordinance 2006-0436

ORDINANCE appropriating \$512,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Engineering Services associated with Sims South Wastewater Treatment Plant Improvements, Package II under Professional Engineering Services Contract between the City of Houston and **WESTON SOLUTIONS, INC** (approved by Ordinance No. 04-0707), GFS R-0265-30-2 (WW4874); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - ALVARADO**

ORDINANCES - continued

33. Ordinance 2006-0437

ORDINANCE appropriating \$343,200.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Engineering Services associated with the Southeast Wastewater Treatment Plant Improvements, Package II under Professional Engineering Services Contract between the City of Houston and **CAMP DRESSER & MCKEE, INC** (approved by Ordinance No. 04-0711), GFS R-0265-35-2 (WW4878); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN**

34. Ordinance 2006-0438

ORDINANCE appropriating \$625,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Flow Meters at various facilities, GFS S-0936-08-3 (WA10813); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; F - KHAN and G - HOLM**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 35

MISCELLANEOUS

35. Motion 2006-0344

MOTION to set a date not less than seven (7) days from May 3, 2006, to receive nominations for Positions 6 and 7 of the Land Assemblage Redevelopment Authority for terms to expire two years from appointment date

MATTERS HELD - NUMBERS 36 and 37

36. Motion 2006-0345 – Postpone one (1) week

REVIEW of the record and make determination of the appeal filed by Mabry Cain on the decision of the General Appeals Board on denial of a Manufactured Home Hardship Permit at 4738 1/2 Larkspur, Houston, Texas 77033 - **DISTRICT D - EDWARDS**
TAGGED BY COUNCIL MEMBER EDWARDS
This was Item 49 on Agenda of April 26, 2006

Motion 2006-0339 – Suspend rules to consider Item 37 out of order

37. Motion 2006-0340 – Refer back to the Administration

ORDINANCE appropriating \$800,000.00 out of TIRZ Affordable Housing Fund 872; deobligating \$800,000.00 of Federal "HOME" Funds appropriated by Ordinance 2003-1259; amending Ordinance 2003-1259 to substitute the funds hereby appropriated for the funds hereby deobligated as the funding source in connection with the construction costs of an apartment complex in the 5000 and 5100 blocks of Airline Drive, Houston, Texas, to house low and very-low income elderly residents; approving compromise and settlement agreement with **PRIMROSE HOUSTON 7 HOUSING, L.P.**, the owner of the apartment complex - **DISTRICT H - GARCIA**
TAGGED BY COUNCIL MEMBER GREEN
This was Item 51 on Agenda of April 26, 2006

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Sekula-Gibbs first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

5/2/2006 – Council Member Wiseman absent on personal business

5/3/2006 – Council Member Wiseman absent due to being ill